REMARKS

Reconsideration of the present application is respectfully requested.

The Examiner has rejected claims 1 –12 under 35 U.S.C. §102(b) as being anticipated by Yamaguchi et al. (Yamaguchi). Applicant respectfully traverses this rejection.

Yamaguchi discloses a brush apparatus for electric rotating machine that simplifies an inserting operation of the brush to a brush holder and prevents the brush and the spring from coming off due to wear of the brush. Specifically, as noted by the Examiner, Yamaguchi discloses a brush holding device wherein a motor housing has at least one engaging portion (7b). However, Applicant respectfully asserts that Yamaguchi does not teach or suggest the brush holding device of claim 1.

Claim 1 recites that one of the brush holder, the circuit board and the housing has at least one engaging portion integrally formed therein for achieving resilient engagement between each brush holder and the circuit board or the housing. See, for example, the brush holder 12 of FIG. 1 including engaging pieces 12d, the brush holder 15 of FIGs. 7 and 8 including engaging piece 15d, the circuit board 13 of FIG. 5 having sidewall 13c, circuit board 16 of FIG. 10 having erected piece 16d and the brush holder 17 of FIG. 10 including engaging piece 17e. The resilient engagement of the present invention between each brush holder and the circuit board or the housing causes the produced noise level to be significantly lower, as shown in FIGs. 4A and 4B, than the levels produced by a brush holder without the claimed configuration, as shown in FIGS. 16A and 16B.

Yamaguchi, however, discloses the holding surface 7b of the brush holder 7 is intended for holding the end of the spring 6 and is not resiliently engaged with any of the circuit board and the housing, as shown in FIGS. 1 and 2. Therefore, unlike the engaging portion recited in claim

1, the holding surface 7b of the brush holder 7 disclosed by Yamaguchi et al. cannot attenuate vibrations of the brush holder and therefore does not reduce the produced noise levels. Thus, Applicant respectfully asserts that Yamaguchi does not disclose the Applicant's claimed invention and therefore requests that the rejection of claim 1 be withdrawn.

Since claims 2 to 12 depend from, and therefore contain the limitations of, base claim 1, Applicant respectfully requests that the rejection of claims 2-12 be withdrawn.

The Examiner at this point should note that Applicant has added new claims 13 - 26 to further claim the apparatus of the present invention in a manner that is clearly supported by the specification. The Examiner should note that new independent claim 13 generally corresponds to independent claim 1, but further includes the limitation of an engaging piece, such as the engaging piece (12d), that engages the circuit board. New independent claim 14 also generally corresponds to independent claim 1 but further includes the limitation of an engaging piece, such as the engaging piece (12d), that engages a corresponding radial outer portion of the circuit board or of the housing. In addition to the affirmative limitations not disclosed in Yamaguchi and recited in claim 1 as discussed above, Yamaguchi does not teach or suggest an engaging piece as recited in new claims 13 and 14. New independent claim 15 specifically applies to the brush holder of the present invention. New dependent claims 16 – 24 further define the brush holder of claim 15 by providing further details about the positioning of the engaging portion, and generally correspond to claims 2-12.

In view of the above amendments and remarks, the present application is now believed to be in condition for allowance. A prompt notice to that effect is respectfully requested.

Although no additional fees are believed to be due, permission is given to charge any unanticipated fees to Deposit Account 50-1147.

Respectfully submitted,

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